

PRESIDENT DUKE THE STAR WITNESS.

Examined in Newark Yesterday
in the Suit Against the
Tobacco Trust.

Tells How the Formation of the
American Affected W. S. Car-
roll's Cigarettes.

CONSIGNEES WERE CUT OFF.

Each Company's Output Considered in
the Purchase Price Paid to It.
The Duke Got \$7,497,000 in
Stock.

Newark, N. J., April 20.—The suit of John R. Miller & Son, of this city, against the American Tobacco Company, was continued in the Chancery Court today before Judge Charles R. Wood. The case is alleged that the tobacco company is a trust, and, therefore, under the laws of the State, should be suppressed. The principal witnesses examined today were James B. Duke, president of the American Tobacco Company; Secretary Brown and George Phillips, auditor of the National Tobacco and Cigarette Company. The examination of Secretary Brown came to an end today.

Mr. Brown said he could only testify as to the prices of cigarettes manufactured by Kinney Brothers. At the last session Secretary Brown was requested by the complainants to look for reports of agents upon which certain consignees had been cut off. He had succeeded in finding seven; others he had been unable to find.

"Did you look?" asked Counsel Einstein.

"I did."

"Did you look with the purpose of finding?"

Mr. Brown flushed angrily, and appealed to the Chancellor to protect him from such insinuations. The Court replied, "It is not very pleasant, certainly."

One of the firms reported upon was Love, Sunshine & Co., of Johnstown, Pa. The report stated that this firm had taken the agency for opposition goods, and did so expecting the American Tobacco Company to refuse them further consignments.

The other reports were all of the same order.

The consignee plan, the witness said, protected the company and the jobber; the retailer was not taken into consideration.

It was considered that the fact of the goods being sold everywhere at a fixed sum would protect the consumer.

The complainants called George Phillips, auditor of the National Tobacco and Cigarette Company.

He said that the National Tobacco Company first issued an advertisement containing the word "trust" in February, 1893.

The witness was cross-examined by Joseph Chate. Phillips said that he had not seen newspaper articles prior to February, 1893, in which the American Tobacco Company was denounced as a "trust," and he did not know that the National Cigarette Tobacco Company had ever paid for a notice.

Mr. Langhorn, of Lynchburg, Va., stated for W. S. Carroll, said that in 1892 Mr. Carroll manufactured 15,000,000 cigarettes, from 1892 to 1895 the amount increased steadily until in 1895 the amount turned out was only 5,000,000. The American Tobacco Company, the witness said, invaded Carroll's territory and caused the decrease in his business. The American Company sold a certain brand for \$3.80 per 1,000, with a rebate of \$1, making the net price to jobbers \$2.80. The price of the Carroll cigarettes was \$2.75 per 1,000.

After recess President Duke was called to the stand. He was examined by Mr. Einstein.

The witness said that before the formation of the company he was president of the W. Duke Sons & Co., of North Carolina. In 1880 the output of this company was about 900,000,000 cigarettes, and it was probably the largest in the United States.

"When you divided the stock of the American Tobacco Company among the five companies that composed it, did you do it on the basis of the output of each?" Mr. Einstein asked.

The question was objected to on the ground that the stock had never been divided, but that each company was bought out.

Mr. Duke said that the output of each was considered in fixing the price to be offered each company, and that in each case a formal offer of the price asked by each company was made to the directors of the American Tobacco Company.

In the distribution of the stock W. Duke Sons & Co. received \$7,497,000, which \$3,000,000 was preferred stock and \$4,497,000 common stock. This represented the value of the company's plant, brands, trade marks, stock and business.

BOYS ACCUSED OF ROBBERY.

Arraigned in Court, Charged with Stealing Eighty-seven Yards of Cloth.

Theodore Keyser, a dry goods dealer of No. 127 Graham avenue, Williamsburg, in the Lee Avenue Police Court yesterday charged Samuel Perlestein, of No. 308 Walabout street, and William Barnett, of No. 120 Melrose street, each twelve years of age, and Charles Huppeling, of No. 142 Stagg street, and Alfred Heims, of No. 12 Mesroole street, eleven years of age, with stealing a bolt of cashmere, valued at \$28, and containing eighty-seven yards, from in front of his place of business last Saturday morning.

The younger prisoners were arrested on Saturday while attempting to pawn the goods at Trelo's pawn shop on Grand street near Bedford avenue. They implicated the other two, who were arrested late on Sunday evening. In the Lee Avenue Police Court yesterday Huppeling and Heims declared that the others stole the cloth and shop compelled them to take it to the pawn shop. Justice Gordon allowed them to go home in the custody of their parents and turned the older prisoners over to the Children's Society. The case was adjourned for a week.

SELF DEFENSE IS THE PLEA.

Gray Will Try to Prove That He Stabbed Shea While Fighting for His Life.

The trial of Matthew Gray, a soldier connected with the Engineer Corps at Willott Point, L. I., for the murder of Patrick Shea, during a barroom brawl on the morning of Sunday, October 13, last, was called in the Queens County Court yesterday. The preliminaries of the trial were gone through, and the case was adjourned until to-morrow morning, when the taking of testimony will begin. That the murder was committed as an act of self-preservation, the knife used was one belonging to the hotel where the stabbing occurred, and it will be the endeavor of the defense to show that the knife was first taken from a table where it lay by one of the gang which set upon the accused, and that he wrested it from the man who took it and was fighting his way to the door with it when the fatal wounds were inflicted.

KNOCKED HIS WIFE DOWN.

Then Lucke Went to Court and Calmly Asked for a Warrant for Her Arrest.

Four years ago Henry Lucke and his wife separated. They were then living at No. 75 North Second street, Williamsburg, but the husband moved to No. 555 Flushing avenue. Since then they have become intermittently reconciled. Last week Mrs. Ophelia Lucke, who is fifty years of age, ten years younger than her husband, was in the Lee Avenue Police Court on a summons to show cause why she should not be arrested for retaining a wagon which her husband claimed, but the case was dismissed.

On the advice of counsel Lucke yesterday attempted to take forcible possession of the wagon, but his wife objected, and he knocked her senseless with a wrench. He left the house and made his way to the Lee Avenue Police Court, where he calmly asked for a warrant for the arrest of his wife on a charge of assaulting him. Meanwhile Ambulance Surgeon Kierberg, of the Eastern District Hospital had attended to Mrs. Lucke, and a general alarm was sent out for the missing husband, who was recognized in the Lee Avenue Police Court while waiting for the warrant. He was detained, and later on his wife went to court and professed to be sorry for what she had done. He was held for trial. Mrs. Lucke was very weak in court, but is not seriously hurt.

RUNAWAY BOYS IN COURT.

One of Them Preferred the House of Refuge to His Sister's Home.

Henry Schneider, who is thirteen years of age and who lived with his sister Kate on Monitor street, Williamsburg, on her complaint was arraigned in the Ewen Street Police Court yesterday on a charge of vagrancy. Schneider said he had a brother in the House of Refuge, and that he would rather live there than with his sister. Justice Lamberton sent him to his brother. John Schneider, twelve years old, was found yesterday morning asleep in the stage entrance of the Lyceum Theatre, Williamsburg, and was charged with vagrancy by Police Officer Maher, of the Stagg Street Precinct. The boy ran away from his home, No. 101 Broadway, where he had lived several months ago with his mother and stepfather, John Klarman. On becoming tired of his life he ran away from home and moved to No. 40 Throop avenue, but on finding there was no one to take care of him, he moved to the Lyceum Theatre. He was remanded him to the custody of Officer Meyer, of the Children's Society.

HAD TO DODGE BULLETS.

Shooting Affray in Williamsburg Endangered Pedestrians' Lives.

Angela Opatka, nineteen years of age, of No. 234 Metropolitan avenue, Williamsburg, accused of shooting four times at Michael Behan, of No. 118 Boerum street, on Sunday morning, at Havemeyer and Nassau streets, was arraigned yesterday before Justice Goetting in the Lee Avenue Police Court, pleaded not guilty. The complainant and defendant were evident strangers to each other. Behan was passing the corner when the shots whizzed by him. Mrs. Carmella Cucinello, a member of the Italian colony of the neighborhood, also narrowly missed proving a target for the shots. For several hours preceding the shooting there had been a detour of traffic, but the police had been able to get at the bottom of the matter.

AWOKE IN THE EAST RIVER.

Mrs. Fontaine Went to the Dock to Get Cool and Fell Asleep.

Unable to sleep because of the heat early yesterday morning Mrs. Mary Fontaine, thirty-five years of age, left her home, at No. 208 Greene street, Williamsburg, and walked to the East River at the foot of Kent street, where the cooling breeze made her drowsy. She sat down on a stringpiece, and was soon in the land of Morpheus. She awoke with a scream on finding that she was floundering about in the icy waters of the East River. Policemen on duty of the Greenpoint Precinct, fished her out, but not before she had swallowed considerable water. She was taken to St. Catherine's Hospital, and soon declared out of all danger.

ON AN OLD INDICTMENT.

Hotel Keeper to Be Tried for an Assault Committed Three Years Ago.

Riverhead, L. I., April 20.—Frederick D. Grant was lodged in the Suffolk County Jail, in this place, to-day, to await trial on an indictment found against him three years ago for assault in the second degree. Grant was arrested in Brooklyn yesterday by Deputy Sheriff David Watson, of Suffolk County. Grant at the time the indictment was found was the owner of the Matlock Hotel, in Matlock, and got into a row with Isaiah Reeve. It is said he struck Reeve and threatened to cut his head off with a butcher's cleaver.

BIDS FOR ELECTRIC POWER.

Bridge Trustees May Decide, However, to Build a Plant.

The Bridge Trustees yesterday received bids for electric power, which will be needed when motor trains are run. One company wanted \$275 a day and another \$200. Trustee Henriques said the Board could save the city \$20,000 a year by building its own power house. The matter was laid over for the next meeting.

PROTEST AGAINST GARBAGE.

Grand Jury to Investigate the Nuisance at Dutch Kills, L. I.

Garbage is being unloaded by the New York Street-Cleaning Department on land owned by ex-Governor Flower in Dutch Kills and Newtown Creek. It is said that a row is being made daily and that a terrible stench arises from it. The Queens County Grand Jury, which is now in session, will, it is said, be called on by the residents of the neighborhood to look into the matter. Mayor Cresson is opposed to allowing the garbage to be dumped.

GOERKE BROS.
Broadway, Bedford Ave. & South 8th St.
BROOKLYN.

**DON'T MISS THE
GENUINE BARGAINS AT 29c**
Sale Continues Until Store Closing
Wednesday.
READ, THINK, ACT.

All sorts of Fine Silks and Dress Goods, value up to \$1.00 yard, going at 29c., variety immense; fine Coutil cheap in the regular way at 60c., 29c.; Ladies' Silk Waists, 29c.; Straw Hats, 29c.; half dozen Towels, 29c.; Pure Linen Table Damask, 29c.; Agate Tea and Coffee Pots, 29c.; half dozen Palm Cups and Saucers, 29c.; Silk Belts, 29c.; and hundreds of other articles at prices so low you wonder how they can be produced.

GOERKE BROS.
46 TO 48 MYRTLE AVE.,
2 doors from Pearl St., Brooklyn, N. Y.

ONLY FIVE ARRESTS AT CONEY ISLAND.

Sunday Was Unusually Quiet and
No Excise Violations Were
Reported.

Colored Girl, Who Threw Stones at a
Trolley Car, One of the
Prisoners.

JUDGE NOSTRAND DISCHARGED HER.

Her Father, Who Tried to Prevent Her
Arrest, Admitted the Offense, and When
Released, Wanted to Make the
Judge a Present.

Justice J. Lott Nostrand walked into the West Brighton (Coney Island) Police Court yesterday with a look of apprehension on his face. He had read in the Journal of the large crowd which had visited the island on Sunday, and he anticipated that he would have to work overtime to dispose of all the cases of arrest for law violations.

A bland smile spread itself over His Honor's countenance when Court Clerk Williamson informed him that there were only seven cases, two of which had been adjourned from Saturday. The two in question were simple "drunks," and they were fined \$3 and let go on payment thereof.

For Sunday's showing there were only five prisoners, one for assault, two for intoxication, one for interfering with an officer and one for malicious mischief. Barry Wine, of New York, entered Stanch's Newark Dancing Pavilion, on the Bowery, and ordered a drink "in a hurry." He addressed his remarks to John H. Stanch, a brother of the proprietor, and a deaf mute. Young Stanch naturally paid no attention to Wine's request, so the latter smashed him on the head with a beer glass. He was locked up, but as no one appeared against him in court he was allowed to go.

Lottie Powell, a little colored girl, was arraigned by Patrolman Navin for throwing stones at passing trolley cars on the line of the West End Railroad. Her father, Anderson Powell, was up for attempting to rescue the little girl from the officer.

Powell explained that he lived between Unionville and Coney Island.

"When de cabs pass by, Your Honor, de doctors call my children 'nigbabs,'" said Powell. "Dat chile am a good chile, an' when dey calls her 'nigbabs' she frowns stones at de cabs."

"Well, don't let her do that any more," said the Judge. "I will discharge her. Now you are charged with interfering with the officer. How do you plead?"

"Dat chile am my own flesh and blood, Judge, an' I loves her. When I saw de officer taking her away I done gone, and tried to stop him, an' he lock me up, too."

"Do you wish to plead guilty to a charge of assault in the third degree?" asked the Judge.

"I so guilty, Judge, I pleads guilty," sobbed the old man. "I may be black skin, but I so white inside, an' it is a hard thing to hear your own flesh and blood called 'nigababs.'"

"Sentence suspended," said His Honor. "You go home and take your child with you."

The old man started to go, but when he

SPRING MEDICINE. THE NECESSITY OF USING THE BEST.

While everybody welcomes the first warm days of Spring after a long and dreary Winter, there comes with it a feeling of depression. Languor, loss of appetite, nervousness, aches and pains, rheumatism, neuralgia, indigestion, and other indications of impure or sluggish blood. These symptoms only serve conclusively to prove that your kidneys are not performing their duty as thoroughly as they should do if they were in an active and healthy condition.

You may not be aware of the fact, but if your kidneys are not well, not throwing off the poisonous or waste matter contained in the blood, the symptoms mentioned above will follow as a matter of course, and if neglected may result in chronic Rheumatism, Neuralgia, Bright's Disease, Dropsy or other dangerous kidney complaints.

At this time of the year people are generally inclined to think that they require some sort of Spring medicine, something that will rid them of their Aches, Pains, Rheumatism, Nervousness, or Indigestion, but they do not know that the remedy they think will reach their particular disease, ache or pain, without really understanding the original cause of the complaint, that lassitude or that depression of spirits lies in the fact that it is all owing to the weak and sickly condition of the kidneys.

Dr. Hobbs Spargus Kidney Pills have in their composition Asparagus in its concentrated form, which is well known to have a special tonic effect upon the kidneys. They have been enthusiastically endorsed by hundreds of the medical profession, besides thousands who have used them with wonderful curative results.

Dr. Hobbs Spargus Kidney Pills go straight to the seat of the disease, the kidneys. They cure the kidneys and give them the power to excrete all the impurities of the blood, and thus the blood is enabled to filter out of the blood all poisons or impure matter, and when this is done the nervous system, and all depressing Spring sicknesses or ailments are removed.

If you take Dr. Hobbs Spargus Kidney Pills you want need any other Spring medicine. You will soon feel like a new being, full of rich and healthy blood, fresh, strong and a rosy complexion lightening your face.

Dr. Hobbs Spargus Kidney Pills cure Bright's Disease, Rheumatism, Neuralgia, Diabetes, Dropsy, Nervousness, pains in the back, and all kidney troubles. They have no equal. They are the most wonderful discovery of the century.

**NO MONEY
REQUIRED.**

EVERYTHING FOR HOUSEKEEPING.
Make your own terms. The finest and best assorted stock in the city. We never take advantage of customers who get in arrears through no fault of theirs. Call and see for yourself.

**LONG ISLAND
FURNITURE CO.,**
46 TO 48 MYRTLE AVE.,
2 doors from Pearl St., Brooklyn, N. Y.

reached the railing he turned and asked: "Where do you live, Judge?" "Bath Beach," answered the Judge. "I used to know you when you was a little boy, Judge, an' I want to send you a present."

"I don't take bribes," said His Honor. "Taint bribes, Judge; jest roshad. Dey's rumrun' line in de bar, an' I want to send you a pain. Roe shad nint no mis'able trash, Judge."

"Well, send them to Officer Navin, who made the arrest. I cannot accept them."

"All right, Judge," remarked the old man, as he hobbled out of the court room, leading his little girl by the hand.

"Dat Judge am a pow'ful good man, chile," he was heard to remark.

The only other cases were those of Alfred Owens and his wife, Annie, who were arrested at 3 o'clock yesterday morning at the West End depot by Patrolman Vaughn for being drunk. They pleaded guilty and were fined \$3 each. They paid their fines.

TROOPS WILL TAKE PART.

Regular Army Forces Will Be in Brooklyn's Big Parade Saturday.

The troops on Governor's Island are making preparations to participate in the parade next Saturday in Brooklyn on the occasion of the presentation to that city by the Brooklyn Union League Club of the colossal bronze equestrian statue of General Grant.

Under instructions from the War Department, other Government troops in the vicinity of New York will also take part. Orders have been issued for the following bodies to participate: The band, light battery of the First Artillery, First Artillery from Fort Wadsworth; one battery of the Second Artillery from Fort Schuyler; two batteries of the First Artillery from Fort Mifflin; one battery of the Third Artillery from Fort Mifflin; one battery of the Fourth Artillery from Fort Mifflin; one battery of the Fifth Artillery from Fort Mifflin; one battery of the Sixth Artillery from Fort Mifflin; one battery of the Seventh Artillery from Fort Mifflin; one battery of the Eighth Artillery from Fort Mifflin; one battery of the Ninth Artillery from Fort Mifflin; one battery of the Tenth Artillery from Fort Mifflin; one battery of the Eleventh Artillery from Fort Mifflin; one battery of the Twelfth Artillery from Fort Mifflin; one battery of the Thirteenth Artillery from Fort Mifflin; one battery of the Fourteenth Artillery from Fort Mifflin; one battery of the Fifteenth Artillery from Fort Mifflin; one battery of the Sixteenth Artillery from Fort Mifflin; 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